

CHAPTER 262
CONTINUING EDUCATION FOR RESPIRATORY CARE PRACTITIONERS

[Prior to 4/17/02, see 645—Chapter 261]

645—262.1(152B,272C) Definitions. For the purpose of these rules, the following definitions shall apply:

“*Active license*” means the license of a person who is acting, practicing, functioning, and working in compliance with license requirements.

“*Administrator*” means the administrator of the board of respiratory care examiners.

“*Approved program/activity*” means a continuing education program/activity meeting the standards set forth in these rules, which has received advance approval by the board pursuant to these rules.

“*Approved sponsor*” means a person or an organization sponsoring continuing education activities, that has been approved by the board as a sponsor pursuant to these rules. During the time an organization, educational institution, or person is an approved sponsor, all continuing education activities of such organization, educational institution, or person shall be deemed automatically approved.

“*Audit*” means the selection of licensees for verification of satisfactory completion of continuing education requirements during a specified time period or the selection of providers for verification of adherence to continuing education provider requirements during a specified time period.

“*Board*” means the board of respiratory care examiners.

“*Continuing education*” means planned, organized learning acts designed to maintain, improve, or expand a licensee’s knowledge and skills in order for the licensee to develop new knowledge and skills relevant to the enhancement of practice, education, or theory development to improve the safety and welfare of the public.

“*Electronically transmitted*” means a program/activity that is videotaped, presented on the Iowa Communications Network (ICN), computer-based or other electronically based means that includes a posttest.

“*Hour of continuing education*” means a clock hour spent by a licensee in actual attendance at and completion of approved continuing education activity.

“*Inactive license*” means the license of a person who is not in practice in the state of Iowa.

“*Independent study*” means a subject/program/activity that a person pursues autonomously that meets standards for approval criteria in the rules and does have a posttest.

“*Lapsed license*” means a license that a person has failed to renew as required, or the license of a person who failed to meet stated obligations within a stated time.

“*License*” means license to practice.

“*Licensee*” means any person licensed to practice as a respiratory therapist in the state of Iowa.

645—262.2(152B,272C) Continuing education requirements.

262.2(1) The biennial continuing education compliance period shall extend for a two-year period beginning on April 1 of each even-numbered year and ending on March 31 of the next even-numbered year. Each biennium, each person who is licensed to practice as a licensee in this state shall be required to complete a minimum of 24 hours of continuing education approved by the board.

262.2(2) Requirements of new licensees. Those persons licensed for the first time shall not be required to complete continuing education as a prerequisite for the first renewal of their licenses. Continuing education hours acquired anytime from the initial licensing until the second license renewal may be used. The new licensee will be required to complete a minimum of 24 hours of continuing education per biennium for each subsequent license renewal.

262.2(3) Hours of continuing education credit may be obtained by attending and participating in a continuing education activity. These hours must be approved by the board or otherwise meet the requirements herein pursuant to statutory provisions and the rules that implement them.

262.2(4) No hours of continuing education shall be carried over into the next biennium except as stated for the second renewal.

262.2(5) It is the responsibility of each licensee to finance the cost of continuing education.

645—262.3(152B,272C) Standards for approval.

262.3(1) General criteria. A continuing education activity which meets all of the following criteria is appropriate for continuing education credit if it is determined by the board that the continuing education activity:

- a. Constitutes an organized program of learning which contributes directly to the professional competency of the licensee;
- b. Pertains to subject matters which integrally relate to the practice of the profession;
- c. Is conducted by individuals who have specialized education, training and experience by reason of which said individuals should be considered qualified concerning the subject matter of the program. The application must be accompanied by a paper, manual or outline which substantively pertains to the subject matter of the program and reflects program schedule, goals and objectives. The board may request the qualifications of presenters;
- d. Fulfills stated program goals, objectives, or both; and
- e. Provides proof of attendance to licensees in attendance including:
 - (1) Date(s), location, course title, presenter(s);
 - (2) Number of program contact hours (One contact hour equals one hour of continuing education credit.); and
 - (3) Official signature or verification by program sponsor.

262.3(2) Specific criteria. Continuing education hours of credit may be obtained by:

- a. Programs/activities that shall be of a clinical nature related to the practice of respiratory care. Clinical nature subject matter is described as basic clinical processes that include information beyond the basic licensure requirements applicable to the normal development and use of the clinical respiratory care practitioner. Any communication course must involve the actual application to the practice of the respiratory care practitioner.
- b. Program presenters who will receive one hour of credit for each hour of presentation for the first offering of the continuing education program/activity.
- c. Academic coursework that meets the criteria set forth in the rules and is accompanied by an official transcript indicating successful completion of the course. Continuing education credit equivalents are as follows:
 - 1 academic semester hour = 15 continuing education hours
 - 1 academic quarter hour = 10 continuing education hours
- d. American Association of Respiratory Care (AARC) continuing education programs/activities that are clinically oriented.
- e. Attendance at or participation in a program or course which is offered or sponsored by an approved continuing education sponsor.
- f. Maximums per biennium are as follows:
 - (1) No more than ten hours of approved independent study for continuing education requirements in a given continuing education compliance period.
 - (2) The following are approved for continuing education credit on a one-time basis per biennium and require a certificate of attendance or verification:

CERTIFICATIONS:

| | |
|---------------------------------------|----------------|
| Advanced Cardiac Life Support | up to 12 hours |
| Basic Cardiac Life Support—Instructor | up to 8 hours |
| Basic Cardiac Life Support | up to 6 hours |
| Neonatal Advanced Life Support | up to 9 hours |
| Pediatric Advanced Life Support | up to 14 hours |
| Mandatory Reporting | up to 4 hours |

RECERTIFICATIONS:

| | |
|---------------------------------|---------------|
| Advanced Cardiac Life Support | up to 4 hours |
| Basic Cardiac Life Support | up to 2 hours |
| Neonatal Advanced Life Support | up to 3 hours |
| Pediatric Advanced Life Support | up to 3 hours |

g. Unacceptable subject matter includes marketing, personal development, time management, human relations, collective bargaining and tours.

645—262.4(152B,272C) Approval of sponsors, programs and activities for continuing education.

262.4(1) *Approval of sponsors.* An applicant who desires approval as a sponsor of courses, programs, or other continuing education activities shall, unless exempted elsewhere in these rules, apply for approval to the board on the form designated by the board stating the applicant's educational history for the preceding two years or proposed plan for the next two years.

a. The form shall include the following:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction to be presented;
- (3) Names and qualifications of instructors including résumés or vitae; and
- (4) Evaluation form(s).

b. Records shall be retained by the sponsor for four years.

c. Attendance record report. The person or organization sponsoring an approved continuing education activity shall provide a certificate of attendance or verification to the licensee providing the following information:

- (1) Program date(s);
- (2) Course title and presenter;
- (3) Location;
- (4) Number of clock hours attended and continuing education hours earned;
- (5) Name of sponsor and sponsor number (if applicable);
- (6) Licensee's name; and
- (7) Method of presentation.

d. All approved sponsors shall maintain a copy of the following for a minimum of four years from the date of the continuing education activity:

- (1) The continuing education activity;
- (2) List of enrolled licensees' names and license numbers; and
- (3) Number of continuing education clock hours awarded.

e. The sponsor shall submit a report of all continuing education programs conducted in the previous year during the assigned month for reporting designated by the board. The report shall include:

- (1) Date(s), location, course title(s) offered and outline of content;
- (2) Total hours of instruction presented;
- (3) Names and qualifications of instructors including résumés or vitae;
- (4) Evaluation form(s); and
- (5) A summary of the evaluations completed by the licensees.

262.4(2) *Prior approval of programs/activities.* An organization or person other than an approved sponsor that desires prior approval of a course, program or other educational activity or that desires to establish approval of such activity prior to attendance shall apply for approval to the board on a form provided by the board at least 60 days in advance of the commencement of the activity. The board shall approve or deny such application in writing within 30 days of receipt of such application. The application shall state:

- a. The date(s);
- b. Course(s) offered;

- c. Course outline;
- d. Total hours of instruction; and
- e. Names and qualifications of speakers and other pertinent information.

The organization or person shall be notified of approval or denial by ordinary mail.

262.4(3) *Review of programs.* Continuing education programs/activities shall be reported every year at the designated time as assigned by the board. The board may at any time reevaluate an approved sponsor. If, after reevaluation, the board finds there is cause for revocation of the approval of an approved sponsor, the board shall give notice of the revocation to that sponsor by certified mail. The sponsor shall have the right to hearing regarding the revocation. The request for hearing must be sent within 20 days after the receipt of the notice of revocation. The hearing shall be held within 90 days after the receipt of the request for hearing. The board shall give notice by certified mail to the sponsor of the date set for the hearing at least 30 days prior to the hearing. The board shall conduct the hearing in compliance with rule 645—11.9(17A).

262.4(4) *Postapproval of activities.* A licensee seeking credit for attendance and participation in an educational activity which was not conducted by an approved sponsor or otherwise approved shall submit to the board, within 60 days after completion of such activity, the following:

- a. The date(s);
- b. Course(s) offered;
- c. Course outline;
- d. Total hours of instruction and credit hours requested;
- e. Names and qualifications of speakers and other pertinent information;
- f. Request for credit which includes a brief summary of the activity; and
- g. Certificate of attendance or verification.

Within 90 days after receipt of such application, the board shall advise the licensee in writing by ordinary mail whether the activity is approved and the number of hours allowed. A licensee not complying with the requirements of this subrule may be denied credit for such activity.

262.4(5) *Voluntary relinquishment.* The approved sponsor may voluntarily relinquish sponsorship by notifying the board office in writing.

645—262.5(152B,272C) *Reporting continuing education by licensee.* At the time of license renewal, each licensee shall be required to submit a report on continuing education to the board on a board-approved form.

262.5(1) The information on the form shall include:

- a. Title of continuing education activity;
- b. Date(s);
- c. Sponsor of the activity;
- d. Board-approved sponsor number;
- e. Number of continuing education hours earned; and
- f. Teaching method used.

262.5(2) Audit of continuing education report. After each educational biennium, the board will audit a percentage of the continuing education reports before granting the renewal of licenses to those being audited.

- a. The board will select licensees to be audited.
- b. The licensee shall make available to the board for auditing purposes a certificate of attendance or verification for all reported activities that includes the following information:

- (1) Date(s), location, course title, schedule (brochure, pamphlet, program, presenter(s)), and method of presentation; and

- (2) Number of contact hours for program attended.

- c. For auditing purposes, the licensee must retain the above information for four years.
- d. Submission of a false report of continuing education or failure to meet continuing education requirements may cause the license to lapse and may result in formal disciplinary action.
- e. All renewal license applications that are submitted late (after the end of the compliance period) may be subject to audit of the continuing education report.
- f. Failure to receive the renewal application shall not relieve the licensee of responsibility of meeting continuing education requirements and submitting the renewal fee by the end of the compliance period.

645—262.6(152B,272C) Reinstatement of lapsed license. Failure of the licensee to renew within 30 days after expiration date shall cause the license to lapse. A person who allows the license to lapse cannot engage in practice in Iowa without first complying with all regulations governing reinstatement as outlined in the board rules. A person who allows the license to lapse must apply to the board for reinstatement of the license. Reinstatement of the lapsed license may be granted by the board if the applicant:

1. Submits a written application for reinstatement to the board;
2. Pays all of the renewal fees then due;
3. Pays the late fee which has been assessed by the board for failure to renew;
4. Pays the reinstatement fee;
5. Provides verification of license(s) from every state in which the licensee has practiced since the Iowa license lapsed; and
6. Furnishes evidence of one of the following:
 - Satisfactory completion of continuing education requirements during the period since the license lapsed. The total number of continuing education hours required for license reinstatement is computed by multiplying 24 by the number of bienniums since the license lapsed to a maximum of two bienniums or 48 hours of continuing education credit;
 - Evidence of current full-time practice in another state of the United States or District of Columbia and completion of substantially equivalent continuing education;
 - Successful completion of the approved entry level examination conducted within one year prior to filing of the application for reinstatement; or
 - Evidence of completion of a minimum course from a CoARC school within one year prior to reinstatement.

645—262.7(152B,272C) Continuing education waiver for active practitioners. A respiratory therapist licensed to practice as a respiratory therapist shall be deemed to have complied with the continuing education requirements of this state during the period that the licensee serves honorably on active duty in the military services or as a government employee outside the United States as a practicing respiratory therapist.

645—262.8(152B,272C) Continuing education exemption for inactive practitioners. A licensee who is not engaged in practice in the state of Iowa may be granted an exemption of continuing education compliance and obtain a certificate of exemption upon written application to the board. The application shall contain a statement that the applicant will not engage in practice in Iowa without first complying with all regulations governing reinstatement after exemption. The application for a certificate of exemption shall be submitted upon forms provided by the board. The licensee shall have completed the required continuing education at the time of reinstatement.

645—262.9(152B,272C) Continuing education exemption for disability or illness. The board may, in individual cases involving disability or illness, grant exemptions of the minimum continuing education requirements or extension of time within which to fulfill the same or make the required reports. No exemption or extension of time shall be granted unless written application therefor is made on forms provided by the board and signed by the licensee and appropriate licensed health care practitioners. The board may grant exemption of the minimum continuing education requirements for any period of time not to exceed one calendar year from the onset of disability or illness. In the event that the disability or illness upon which an exemption has been granted continues beyond the period of exemption, the licensee must reapply for an extension of the exemption. The board may, as a condition of any exemption granted, require the applicant to make up a certain portion or all of the minimum continuing education requirements exempted by such methods as may be prescribed by the board.

645—262.10(152B,272C) Reinstatement of inactive practitioners. Inactive practitioners who have been granted a waiver of compliance with these rules and obtained a certificate of waiver shall, prior to engaging in the practice of respiratory therapy in the state of Iowa, satisfy the following requirements for reinstatement.

262.10(1) Reinstatement of the inactive license may be granted by the board if the applicant:

- a. Submits a written application for reinstatement to the board;
- b. Pays the current renewal fee then due;
- c. Pays the reinstatement fee; and
- d. Provides verification of license(s) from every state in which the licensee has practiced since the Iowa license lapsed.

262.10(2) The applicant shall furnish in the application evidence of one of the following:

- a. Full-time practice in another state of the United States or the District of Columbia and completion of continuing education for each biennium of inactive status substantially equivalent in the opinion of the board to that required under these rules; or
- b. Successful completion of 24 hours of approved continuing education hours; or
- c. Successful completion of the approved entry-level examination conducted within one year prior to filing of the application for reinstatement; or
- d. Successful completion of a minimum 75-hour refresher course from a school accredited by the Committee on Accreditation of Respiratory Care (CoARC) within one year prior to filing of the application for reinstatement.

645—262.11(152B,272C) Hearings. In the event of denial, in whole or part, of any application for approval of a continuing education program or credit for continuing education activity, the applicant, licensee or program provider shall have the right within 20 days after the sending of the notification of denial by ordinary mail to request a hearing which shall be held within 90 days after receipt of the request for hearing. The hearing shall be conducted by the board or an administrative law judge designated by the board, in substantial compliance with the hearing procedure set forth in rule 645—11.9(17A).

These rules are intended to implement Iowa Code section 272C.2 and chapter 152B.

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